

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, December 18, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman John Clark

Alderman Valerie Joh

Alderman Mike McIntire

Alderman Tom Segelhorst

Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Alderman John Clark.
- II.B. **INVOCATION:** Jack Edwards, Retired Minister – United Methodist Church.
- III. **ROLL CALL:** by City Recorder Demming. Absent: Vice-Mayor Tom C. Parham.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 - 1. MSHA Commendation presented by Alderman McIntire.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Segelhorst/Clark, to approve minutes for the following meetings:

- A. December 3, 2012 Regular Work Session
- B. December 4, 2012 Regular Business Meeting
- C. December 7, 2012 Special Called Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing for Annexation Annual Plan of Services Report** (AF: 340-2012). City Planner Forrest Koder gave a brief presentation on this item and stated that four out of the thirteen locations on this list were complete. He also pointed out that most of the Rock Springs area has now been completed.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

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2. Public Hearing and Consideration of Ordinances to Amend Zoning of Parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and Parcels 1.00, 1.10 and 1.20 of Tax Map 120 and Excluding Parcel 59.00 of Tax Map 119 Located on or Adjacent to Interstates 81 & 26, Fordtown Road and Mitchell Road from M-1R, B-4P, B-3, R-3 and A-1 to TA/C, Tourist Accommodation/Commerce (AF: 343-2012). City Planner Forrest Koder presented this item, noting this was initiated by the property owner for the purpose of bringing these fourteen parcels up to code under the new TA/C zone requirements.

PUBLIC COMMENT ON ITEM VI.AA.2. None.

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY KNOWN AS THE FORDTOWN ROAD – TAYLOR PROPERTIES ADJACENT TO INTERSTATE 81 AND 26 FROM M-1R, RESTRICTED INDUSTRIAL DISTRICT, B-4P, PLANNED BUSINESS DISTRICT, B-3, GENERAL BUSINESS DISTRICT, R-3, LOW DENSITY APARTMENT DISTRICT AND A-1, AGRICULTURAL TO TA/C, TOURIST ACCOMODATION/COMMERCE DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

3. Conduct a Public Hearing and Consideration of an Ordinance to Rezone Property along Union Street to R-3, Low Density Apartment (AF: 348-2012). City Planner Karen Combs provided details on this item, stating this was initiated by city staff in an effort to bring the old TA zone up to code. She stated that all property owners have been contacted and no negative comments have been received by the planning department.

PUBLIC COMMENT ON ITEM VI.AA.3. None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG UNION STREET TAX MAP 45D, GROUP K, PARCEL 1.15 TO R-3, LOW DENSITY APARTMENT DISTRICT, IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

4. Conduct a Public Hearing and Consideration of an Ordinance to Rezone Property along Union Street to B-3, General Business District (AF: 349-2012). City Planner Combs gave a brief presentation on this item.

PUBLIC COMMENT ON ITEM VI.AA.4. None.

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Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG UNION STREET TAX MAP 45D, GROUP K, PARCELS 1.00 and 1.05 TO B-3, GENERAL BUSINESS DISTRICT, IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

5. Public Hearing and Consideration of an Ordinance to Rezone Property Along West Stone Drive and Lynn Garden Drive to B-3, General Business District (AF: 350-2012). City Planner Combs presented this item and answered questions from the Board members. She confirmed for Alderman Clark that the new TA/C zone has stricter guidelines.

PUBLIC COMMENT ON ITEM VI.AA.5. None.

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WEST STONE DRIVE TAX MAP 45D, GROUP D, PARCEL 3.50 AND GROUP K, PARCELS 3.10, 4.00, 4.01, 5.00, 6.00 and 7.00 TO B-3, GENERAL BUSINESS DISTRICT, IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Amend the Drug Fund Budget by Appropriating Funds for a Specified Project (AF: 359-2012).

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE DRUG FUND BUDGET BY APPROPRIATING FUNDS FOR THE VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Tennessee Arts Commission (AF: 225-2012). City Manager Campbell discussed this item and pointed out this grant would involve several smaller grants.

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Motion/Second: Segelhorst/Clark, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

3. Consideration of an Ordinance to Amend Various Project Fund Funds (AF: 351-2012).

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT AND GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY TRANSFERRING FUNDS FROM VARIOUS PROJECTS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of Ordinances to Annex/Amend Zoning of the North Kingsport Area 1 Annexation (AF: 341-2012).

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6272, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSFORT AREA 1 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: McIntire/Shupe, to pass:

ORDINANCE NO. 6273, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BELL RIDGE ROAD AND MCKENZIE DRIVE TO R-1B, RESIDENTIAL DISTRICT AND A-1, AGRICULTURAL DISTRICT IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Segelhorst, Shupe and Phillips voting "aye."

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D. OTHER BUSINESS.

1. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Single Axle Dump Trucks to Smoky Mountain Truck Center, LLC (AF: 346-2012). City Manager Campbell commented these trucks were replacement vehicles for Public Works.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2013-096, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF TWO SINGLE AXLE DUMP TRUCKS TO SMOKY MOUNTAIN TRUCK CENTER, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

2. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Tandem Axle Dump Trucks to Smoky Mountain Truck Center, LLC (AF: 347-2012). Mayor Phillips pointed out that this item and the previous item were discussed at length during the work session last night.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-097, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF TWO TANDEM AXLE DUMP TRUCKS TO SMOKY MOUNTAIN TRUCK CENTER, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for the Upgrade of Internet Access with Century Link (AF: 357-2012). City Manager Campbell provided details on this item. Mayor Phillips pointed out this upgrade was really needed as it provided a great benefit for the police department.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-098, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT FOR SERVICES WITH CENTURY LINK FOR AN INCREASE IN BANDWIDTH FOR THE INTERNET AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Track Type Steer Loader to Premier Equipment, LLC (AF: 356-2012).

Motion/Second: Joh/McIntire, to pass:

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Resolution No. 2013-099, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ONE TRACK TYPE SKID STEER LOADER TO PREMIER EQUIPMENT, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

5. Consideration of a Resolution Approving an Agreement with Marriott International, Inc. and Authorizing the Mayor to Execute the Agreement (AF: 360-2012). City Manager Campbell explained this item was a renewal agreement added after the work session discussion yesterday, noting the benefits of the changes.

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-100, A RESOLUTION APPROVING AN AGREEMENT WITH MARRIOTT INTERNATIONAL, INC.; FINDING THIS A SOLE SOURCE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO MAKE CHANGES TO THE AGREEMENT, AS NEEDED

Passed: All present voting "aye."

E. APPOINTMENTS.

1. Consideration of an Appointment to the Tree Advisory Board (AF: 352-2012).

Motion/Second: Joh/Segelhorst, to approve:

APPOINTMENT OF MR. COLE LUSK TO SERVE THE UNEXPIRED TERM OF DAVE BURKE WHO HAD TO RESIGN DUE TO A JOB PROMOTION ON THE ***TREE ADVISORY BOARD***. THIS APPOINTMENT IS EFFECTIVE IMMEDIATELY AND WILL EXPIRE ON JUNE 30, 2013.

Passed: All present voting "aye."

VII. CONSENT AGENDA. *(These items are considered under one motion.)*

1. Consideration of an Ordinance Transferring Funds to the J. Fred Johnson Stadium Project to Fund Phase I and Phase II (AF: 129-2012).

Motion/Second: Shupe/Joh, to adopt:

Ordinance No. 6274, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Segelhorst, Shupe and Phillips voting "aye."

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2. Consideration of an Ordinance to Amend the FY13 General Purpose School Fund Budget and the General Project Fund Budget (AF: 345-2012).

Motion/Second: Shupe/Joh, to adopt:

Ordinance No. 6275, AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Joh, McIntire, Segelhorst, Shupe and Phillips voting "aye."

3. Adoption of the 2013 Joint Tri-Cities Legislative Agenda (AF: 355-2012).

Motion/Second: Shupe/Joh, to adopt:

2013 JOINT TRI-CITIES LEGISLATIVE AGENDA

Passed in a roll call vote: Clark, Joh, McIntire, Segelhorst, Shupe and Phillips voting "aye."

NOTE: *At this time Mayor Phillips left the meeting at 7:35 p.m.*

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell thanked in advance all the city employees who would be working on Christmas. He also asked Public Works Director Ryan McReynolds to provide details for the public concerning the altered garbage schedule over the next two weeks.

B. MAYOR AND BOARD MEMBERS. Alderman McIntire wished everyone a blessed Christmas and encouraged all to enjoy their family and friends and to be safe.

Alderman Shupe also thanked the employees working on the holidays. He stated his heart goes out to the families in Connecticut and his thoughts and prayers were with them. He also wished everyone a blessed Christmas.

Alderman Joh made the comment to appreciate your families as well as the ones who keep us safe.

Alderman Segelhorst stated he was proud of the Dobyys-Bennett band. He offered condolences to a friend who lost their mother. Mr. Segelhorst thanked not only city employees, but everyone who would be working during the holidays. He encouraged everyone to have a safe and joyous holiday season.

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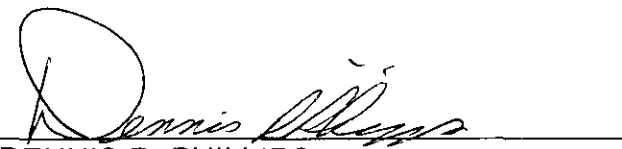
Alderman Clark commented on his attendance to the Tennessee Valley Corridor Event which focused on manufacturing and job creation and emphasizing the skills for local leaders in economic development. He stated the goal was trying to match job opportunity with the right skills set. City Manager Campbell pointed out Mr. Clark was the Chair and congratulated him.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:42 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor